

AN ORDINANCE      **97248**

**APPROVING AN ECONOMIC DEVELOPMENT PROGRAM  
PRESCRIBED UNDER CHAPTER 380, TEXAS LOCAL GOVERNMENT  
CODE AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE  
UPON APPROVAL OF EIGHT (8) AFFIRMATIVE VOTES**

\* \* \* \* \*

**WHEREAS**, the City expects to enter into the Project Starbright Agreement by and among the Toyota Motor Manufacturing North America, Inc., a Kentucky corporation, the State of Texas, the City of San Antonio, Texas and various other political subdivisions of the State of Texas (the "Starbright Agreement") to advance the public purposes of developing and diversifying the economy of the state, eliminating unemployment and under employment in the state and developing or expanding transportation or commerce in the state and for other related purposes; and

**WHEREAS**, pursuant to the Starbright Agreement, the City agreed to cause certain of its obligations under the Starbright Agreement to be effectuated through an industrial development corporation; and

**WHEREAS**, the City of San Antonio, Texas (the "City"), has, pursuant to the Development Corporation Act of 1979, Texas Revised Civil Statutes Annotated, Article 5190.6, as amended (the "Act"), approved and provided for the creation of the City of San Antonio, Texas, Starbright Industrial Development Corporation as a non-stock, non-profit corporation to aid, assist and act on behalf of the City in the performance of the City's governmental and proprietary functions with respect to commercial and industrial development, including but not limited to the acquisition of land ; and

**WHEREAS**, to effectuate the Starbright Agreement the City must formulate an economic development program qualifying under Chapter 380, Texas Local Government Code; and

**WHEREAS**, the City Council finds that it is in the best interest of the City to authorize and approve the Economic Development Program and that its immediate approval is necessary for the preservation of the public peace, property, health or safety in the City; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1. Findings.** The findings contained in the preamble of this Ordinance are declared to be true and correct and are hereby adopted as part of this Ordinance.

**SECTION 2. Plan Approval.** The Economic Development Program for the City, in substantially the form as shown in the documents which are attached hereto as Exhibit A and incorporated herein by this reference, is hereby determined to be feasible and is approved.

**SECTION 3. Further Actions.** The City Manager, the Director of Finance, the City Clerk, the City Attorney, the Director of Economic Development and other officers of the City, are

hereby authorized and directed, jointly and severally, to take all actions necessary to execute and deliver any and all documents, including the Economic Development Program, which they may deem necessary or advisable in order to effectuate the purposes of this Ordinance, including the execution of any notice, certificate, consent, receipt or opinion required to effectuate the Economic Development Program or this Ordinance. The City Attorney, or the designee of the City Attorney, may authorize nonsubstantive changes to this Ordinance as is necessary to make such program consistent with the purposes and intent of this Ordinance.

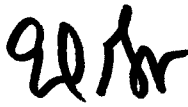
**SECTION 4. Severability.** If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 5. Open Meetings.** It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Section 551, Texas Government Code, as amended, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**SECTION 6. Repealer.** All orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

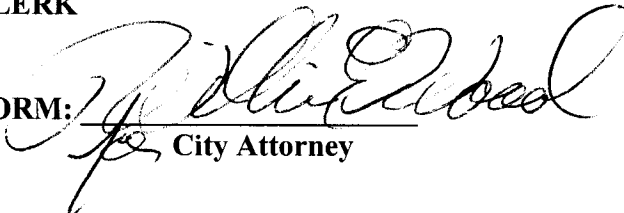
**SECTION 7. Effective Date.** This ordinance shall be immediately effective if passed by at least eight votes. Otherwise, it shall be effective on March 9, 2003.

**PASSED AND APPROVED** this 27th day of February, 2003.

  
**M A Y O R**  
**EDWARD D. GARZA**

**ATTEST:**   
**CITY CLERK**

**APPROVED AS TO FORM:**

  
**City Attorney**